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DRAFT

Ref: 8HWM-FF

Mr. Dee Williamson
Monticello Project Manager
Department of Energy
Post Office Box 2567
Grand Junction, CO 81502-2567

Re: EPA and State Comments on the Monticello Mill Tailings site Final RI/FS and the preliminary Record of Decision.

Dear Mr. Williamson:

This letter and attachments include the EPAs and the State of Utahs comments on the Monticello Mill Tailings site RI/FS. Included also are the initial comments on the Millsite Record of Decision (ROD).

MONTICELLO MILL TAILINGS SITE RI/FS

The Environmental Protection Agency (EPA), after consultation with the State of Utah (State) concurs with the Final RI/FS for the Monticello Mill Tailings site subject to the following comments. The EPA concurs with those comments on the RI/FS submitted to EPA by the State in its letter dated March 22, 1990 (attached). In addition to those comments submitted by the State EPA adds the following:

1) EPA is still concerned that our previous comment concerning the aquitards that may be present beneath the site has not been responded to as there are contradictory statements on page 6 of the ROD. CTrue or not true Aquitards

2) EPA had previously requested that DOE remove the text in the RI/FS which states; "the major contributor to overall risk to Monticello residents is natural background radiation". This statement is still in the ROD (Section 6.6.1.) and we require that statement be revised in the RI/FS. Correct In Text

We should note that as stated previously that the revisions or edits be incorporated in the errata sheets of the RI/FS whenever possible. Other comments can be responded to appropriately in the Responsiveness Summary provided that they are not of a technical nature. It is essential that all comments and corrections be responded to in either the RI/FS or the Responsiveness Summary. It is inappropriate and unacceptable for

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a comment to be addressed in the Record of Decision.

GENERAL COMMENTS - RECORD OF DECISION

EPA concurs with those comments submitted by the State of Utah in its letter dated April 2, 1990. We would note; however, that because of our concern with the length of the ROD some of the specific comments submitted by the State may not be appropriate after the ROD is revised and reformatted.

The draft ROD follows the required format; however, our review has found that it is much to lengthy. The ROD should follow a logical progression to the selection of the remedy. This decision is supported or gleaned from information and data developed in the RI/FS. In particular, the ROD should reference the RI/FS and make use of concise summaries to avoid repeating or reiterating extensive sections of the RI/FS. The ROD needs to focus on the documentation of the decision.

To assist DOE in revising the ROD we are submitting the following; the ROD for the Coalinga Asbestos Mine, California and portions of the ROD for Montclair/West Orange Radium, New Jersey. These RODs should provide DOE with what EPA has determined to be an appropriate level of detail and presentation of analysis that is necessary to document the decision.

We have enclosed a "first-cut" of Chapters 1 - 5 of the Monticello ROD. We have indicated those sections, paragraphs, and sentences which are either unnecessary because they are too detailed, out of place, or inappropriate for the Record of Decision. This editing should not be considered to be a thorough or complete technical edit but should be considered as guidance to the appropriate level of detail.

We will identify some of the more specific changes that are required in the section that follows. However, before doing so we would like to provide some general comments on Chapters 6 - 10 that will attempt to focus the ROD to its intended purpose, the documentation of the decision.

Chapter 6 - Risk Assessment. Under separate cover we have submitted some specific comments on the risk assessment analysis (memorandum from Weis to Mushovic dated March 20, 1990). The comments included therein addressed the risk assessment as included in the current draft of the ROD. Because EPA believes that the risk assessment in the ROD should be a summary of site risks and not be a reiteration of the RI/FS many of the comments are more appropriate as revisions necessary in the remedial investigation risk assessment.

Chapter 7 - Description of Alternatives. This chapter should identify those alternatives that have been retained for

comparative analysis in Chapter 8. We recommend that the inclusion of an introductory section (see Coalinga Asbestos Mine, California) and a reverse inthe presentation of the alternatives - beginning with the no-action alternative - will facilitate the process for documenting the decision. The introduction to this chapter will also facilitate a very brief discussion of alternatives that were determined, for whatever reason, to be unacceptable.

Chapter 8 - Comparative Analysis of Alternatives. This chapter should provide an explanation of the criteria used to select the remedy, and an analysis of the remedial action alternatives in light of the nine key factors that CERCLA mandates. It should highlight the advantages and disadvantages of each alternative. We have included some documentation and guidance from the new NCP which must be followed in the ROD.

Chapter 9 - Selected Remedy. The present format for this chapter looks good; however, we caution that you not be too specific in the criteria and standards for the repository (cell design) as any significant changes would require that the ROD be reopened to explain any changes.

Chapter 10 - Statutory Determinations. We would recommend that you separate out the ARARs analysis and the Statutory Determinations into two separate chapters. One significant reason for setting it out this way is so that ARARs analyses which have been misplaced in other chapters can be focused in a single location within the ROD.

RECORD OF DECISION - SPECIFIC COMMENTS

The ROD should identify the Final Remedy for Operable Units 1 - Millsite Tailings and 2 - Peripheral Properties, and indicate that the remedy selected is consistent with the overall remedial action prepared (planned) for the site. Operable Unit 3 - Ground Water, will be addressed in a subsequent ROD.

Because of the change from the preferred remedy in the Proposed Plan, it will be necessary to include a discussion of the proposed change in the ROD. We suggest that a new Chapter be included and that it be placed after Chapter 9 - Selected Remedy.

Operable Unit 3 - Ground Water

The EPA concurs with the States position and suggested wording for Operable Unit 3 - Ground Water. This will require that the ROD for Operable Unit 3 - Ground Water - not be prepared until such time as the source of contamination is removed, and a RI/FS can be completed on the Ground Water operable unit. At a minimum this will require further site characterization, data

collection and analysis during source removal (Operable Units I and II), and the preparation of an updated health and risk assessment that complies with the current " Risk Assessment Guidance for Superfund Volume I Human Health Evaluation Manual as amended".

Federal and State ARARs

We believe the States decision to postpone a decision on whether the Utah Safe Drinking Water Act is an ARAR until preparation of the ROD for Operable Unit 3 is consistent with the guidance in the National Contingency Plan.

With regard to the Federal ARARs, EPA believes that the Farmland Protection Policy Act, 7 U.S.C. 4201 (Generally, 7 CFR Part 658) needs to be addressed and included in the analysis in Table 10-1 of the ROD.

Peripheral Properties

The discussion of the Peripheral Properties needs to be treated as a final decision. The Peripheral Properties should be addressed in three or more Categories dependent upon the decision made and the remedy selected. Category 1 would be those land types (i.e., peripheral properties) which will be cleaned up using conventional construction techniques. Category 2 would be those land types that will be cleaned up using environmentally sensitive techniques (i.e., hand excavation, vacu-suction). Finally, Category 3 would include those properties which will be subject to Supplemental Standards.

For each category the ROD should indicate: how each remedy will be protective of human health and the environment; identify the conditions under which each remedy would be used (including any institutional controls which may be necessary); indicate what sampling and studies will be necessary for remedial design (RD) to implement the selected remedy for each land type; and finally, should the final remedy differ from the remedy identified in the ROD, than a fact sheet will need to be prepared (subject to public comment) following RD, which will document and explain the change from that which was identified in the ROD.

There needs to be a section added that states "the remedy selected minimizes adverse impacts to wetlands and other waters of the U.S. through the avoidance of impacts to these areas and that where adverse impacts were unavoidable there is a determination of meeting the substantive requirements of the Clean Water Act and the Executive Order ------, and to mitigate unavoidable impacts to these areas through wetland restoration and creation projects and channel reconstruction.

Finally, to make the decision that supplemental standards are appropriate will require further analysis as required in 40 CFR Part 192. Generally this will require that we analyze the risk to human health and the environment against the environmental degradation or impacts that would occur.

This concludes EPAs and the State of Utahs comments on the Final RI/FS and the preliminary ROD for the Monticello Mill Tailings site. We hope that DOE finds these comments useful in facilitating its completion of the ROD. We will be happy to provide guidance to you in finalizing the ROD or answering any questions that you may have regarding our comments.

Sincerely

Paul S. Mushovic
Remedial Project Manager

Attachments

cc: Silvernale
Johnson
Ross
Weis
Pennock
Gray
Peterson

FCD:April 4, 1990: